

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

V.

JAMES BOWEN,

Defendant.

No. 4:16-CR-106 RLW

**ORDER**

Pending before the Court are Defendant James Bowen's pro se motions for appointment of counsel, for extension of time, and for expedited consideration of his motion for compassionate release. Also before the Court is the United States' motion to strike Defendant's pro se filings.

Defendant James Bowen filed a pro se motion for compassionate release under the First Step Act, 18 U.S.C. § 3582(c). Since that time, Defendant was appointed counsel, who moved for an extension of time to file a supplemental motion. Defense counsel's motion was granted, and defense counsel has until February 23, 2021, to file a supplemental motion for compassionate release. The Court, therefore, will deny as moot Defendant's pro se motions for appointment of counsel and for extension of time.

As for Defendant's pro se motion for expedited consideration of his motion for compassionate release, Defendant states in his motion that he has been diagnosed with advanced stage lung cancer, and he seeks expedited review. The Court will deny, without prejudice, Defendant's pro se motion for expedited consideration of his motion for compassionate release. That said, considering the seriousness of Defendant's account as to his medical condition, the Court will shorten the time for the government to respond to Defendant's supplemental motion.

Also before the Court is the government's motion to strike Defendant's pro se filings. The Court will not grant this motion at time. However, Defendant Bowen is represented by counsel, and therefore he should generally communicate with the Court through his counsel. "There is no constitutional or statutory right to simultaneously proceed pro se and with benefit of counsel." United States v. Agofsky, 20 F.3d 866, 872 (8th Cir.), cert. denied, 513 U.S. 909 (1994). "A district court has no obligation to entertain pro se motions filed by a represented party." Abdullah v. United States, 240 F.3d 683, 686 (8th Cir. 2001); Agofsky, 20 F.3d at 872 (holding that a court commits "no error" in refusing to rule on pro se motions raised by a represented party). Defendant will be ordered to refrain from communicating directly with the Court and shall only communicate with the Court through his counsel. Concerns Defendant has regarding his case should be raised with counsel, not the Court.

Accordingly,

**IT IS HEREBY ORDERED** that Defendant James Bowen's pro se Motion for Extension of Time and Motion for Appointment of Counsel are **DENIED as moot**. [ECF Nos. 78 and 79]

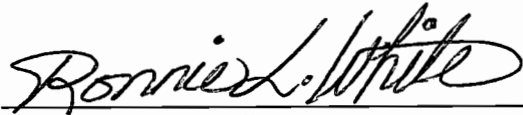
**IT IS FURTHER ORDERED** that Defendant James Bowen's pro se Motion for Expedited Consideration of his Motion for Compassionate Release is **DENIED without prejudice**. [ECF No. 83]

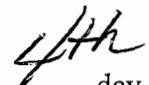
**IT IS FURTHER ORDERED** that the response time for the government to respond to Defendant's Supplemental Motion for Compassionate Release is modified. The United States shall have fifteen (15) days in which to file a response to the supplemental motion.

**IT IS FURTHER ORDERED** that the United States' Motion to Strike Defendant's Pro Se Filings is **DENIED**. [ECF No. 85]

**IT IS FURTHER ORDERED** that Defendant James Bowen shall refrain from communicating directly with the Court, and he shall only communicate with the Court through counsel.

**IT IS FURTHER ORDERED** that the Clerk of Court shall mail of copy of this Order to Defendant James Bowen, No. 45684-044, Forrest City Law, Federal Correctional Institution, P.O. Box 9000, Forrest City, AR 72336.

  
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RONNIE L. WHITE  
UNITED STATES DISTRICT JUDGE

Dated this  day of February, 2021.